

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

PERRY J. CUEVAS	§	PLAINTIFF
	§	
v.	§	CAUSE NO. 1:07CV10-LG-JMR
	§	
MICHAEL J. ASTRUE, COMMISSIONER OF SOCIAL SECURITY	§ § § §	DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause comes before the Court on the Report and Recommendation of Chief United States Magistrate Judge John M. Roper entered in this cause on February 11, 2008. Judge Roper recommended denying Plaintiff Perry J. Cuevas' Motion to Remand [11]. Plaintiff did not file an objection to the Report and Recommendation. After thoroughly reviewing the findings in the Report and Recommendation, the Court finds that the Report and Recommendation should be adopted as the finding of the Court for the reasons that follow.

Where no party has objected to the Magistrate Judge's Report and Recommendation, the Court need not conduct a de novo review of it. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court need only review the Report and Recommendation and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having made the required review of the Report and Recommendation, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are neither clearly erroneous nor contrary to law. Therefore, the Court, being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [17] of Chief United States Magistrate Judge John M. Roper entered in this cause on February 11, 2008, should be, and the same hereby is, **ADOPTED** as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's Motion to Remand [11] is **DENIED**.

SO ORDERED AND ADJUDGED this the 28th day of February, 2008.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE